

TITLE 77: PUBLIC HEALTH  
CHAPTER X: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER d: LICENSURE

PART 2060  
ALCOHOLISM AND SUBSTANCE ABUSE TREATMENT  
AND INTERVENTION LICENSES

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AUTHORITY: Implementing and authorized by the Illinois Vehicle Code [625 ILCS 5] and the Alcoholism and Other Drug Dependency Act [20 ILCS 301].

SOURCE: Adopted at 20 Ill. Reg. 13519, effective October 3, 1996; recodified from Department of Alcoholism and Substance Abuse to Department of Human Services at 21 Ill. Reg. 9319; emergency amendment at 23 Ill. Reg. 4488, effective April 2, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 10803, effective August 23, 1999; amended at 25 Ill. Reg. 11063, effective August 14, 2001; amended at 26 Ill. Reg. 16913, effective November 8, 2002; amended at 27 Ill. Reg. 13997, effective August 8, 2003; amended at 42 Ill. Reg. 14377, effective July 18, 2018; emergency amendment at 45 Ill. Reg. 11885, effective September 16, 2021, for a maximum of 150 days; amended at 46 Ill. Reg. 2945, effective February 4, 2022; expedited correction at 46 Ill. Reg. 17369, effective February 4, 2022; emergency amendment at 47 Ill. Reg. 12793, effective August 11, 2023, for a maximum of 150 days; amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

#### SUBPART C: REQUIREMENTS – ALL LICENSES

##### Section 2060.314 COVID-19 Vaccination of Organization Staff (Repealed)

~~a) For the purposes of this Section,~~

~~1) "Organization" means any organization certified as a Substance Use Prevention Treatment program under this Part.~~

~~2) "Staff" or "staff person" means any person who:~~

~~A) is employed by, volunteers for, or is contracted to provide services for a facility, or is employed by an organization that is contracted to provide services to a facility; and~~

~~B) is in close contact (fewer than 6 feet) with other persons in the organization for more than 15 minutes at least once a week on a regular basis as determined by the entity. The term "staff" or "staff person" does not include any person who is present at the organization for only a short period of time and whose moments of close physical proximity to others on site are fleeting (e.g., contractors making deliveries to a site where they remain physically distanced from others or briefly entering a site to pick up a shipment).~~

- 3) ~~"COVID-19 vaccine" means a vaccine for COVID-19 that has been authorized for emergency use, licensed, or otherwise approved by the U.S. Food and Drug Administration (FDA).~~
  - 4) ~~An individual is "fully vaccinated against COVID-19" two weeks after receiving the second dose in a two-dose series of a COVID-19 vaccine or two weeks after receiving a single-dose COVID-19 vaccine.~~
- b) ~~Each organization shall require all staff to be fully vaccinated against COVID-19 or be tested in a manner consistent with the requirements of subsection (c).~~
- 1) ~~Each organization shall require staff who are not fully vaccinated against COVID-19 to have, at a minimum, the first dose of a two-dose vaccination series or a single-dose vaccination by September 19, 2021, and if applicable, the second dose of a two-dose COVID-19 vaccination series within 30 days after administration of their first dose, or be tested consistent with the requirements of subsection (c).~~
  - 2) ~~Each organization shall require staff who are fully vaccinated against COVID-19 to submit proof of full vaccination against COVID-19. Proof of vaccination may be met by providing to the organization one of the following:~~
    - A) ~~a Centers for Disease Control and Prevention (CDC) COVID-19 vaccination record card or photo of the card;~~
    - B) ~~documentation of vaccination from a health care provider or electronic health record; or~~
    - C) ~~state immunization records.~~
  - 3) ~~Each organization shall make available opportunities for staff to be fully vaccinated against COVID-19, either directly at the organization or indirectly, such as through an arrangement with a pharmacy partner, local health department, or other appropriate health entity.~~
  - 4) ~~Each organization shall exempt individual staff members from the requirement that all staff be fully vaccinated against COVID-19 if:~~
    - A) ~~vaccination is medically contraindicated, including any individual staff member who is entitled to an accommodation under the Americans with Disabilities Act (42 U.S.C. 12101) or any other~~

~~law applicable to a disability-related reasonable accommodation;  
or~~

~~B) vaccination would require the individual staff member to violate or  
forgo a sincerely held religious belief, practice, or observance.~~

~~5) Staff that fall within the exemptions of subsection (b)(4) shall undergo the  
testing requirements set forth in Subsection (c).~~

~~6) Organizations may adopt more stringent policies requiring all staff to be  
vaccinated. Nothing in this Section supersedes or modifies the date such  
policies are designated by the organization to take effect.~~

~~e) By September 19, 2021, each organization shall require its staff who are not fully  
vaccinated against COVID-19 to undergo testing for COVID-19, weekly, at a  
minimum. If staff who are not fully vaccinated against COVID-19 are not tested  
as required by this subsection, the staff shall not be permitted to enter or work at  
the organization in their healthcare provider roles.~~

~~1) The COVID-19 test must either have Emergency Use Authorization by the  
FDA or be operated pursuant to the Laboratory Developed Test  
requirements by the U.S. Centers for Medicare and Medicaid Services.~~

~~2) Such testing must be conducted on-site at the organization or the  
organization must obtain proof or confirmation from the staff person of  
the negative test result obtained elsewhere.~~

~~3) Each organization shall make COVID-19 tests available to its staff  
consistent with the requirements of this Section, or consistent with any  
more stringent requirements for testing adopted by the organization.~~

~~4) If a staff person tests positive for COVID-19, the organization shall  
exclude the staff person from the organization, consistent with federal,  
State, and local health guidance, recommendations and regulations.~~

~~5) Staff who are not fully vaccinated may be permitted to enter or work at the  
organization while they are waiting to receive the results of their weekly  
test.~~

~~d) Each entity shall post conspicuous signage throughout the organization, including  
at points of entry and exit and each hallway, notifying staff that the organization  
makes available opportunities for staff to be fully vaccinated against COVID-19.~~

The signs shall be on 8.5 by 11 inch white paper, with text in Calibri (body) font and 26 point type in black letters.

- e) Each organization shall maintain a record of fully vaccinated staff, unvaccinated staff, and weekly testing. The record shall include a weekly count of how many staff are fully vaccinated; how many are not fully vaccinated; and how many (vaccinated or unvaccinated) have tested positive for COVID-19.
- f) The organization shall maintain documentation in each staff person's confidential medical file, in accordance with federal and state privacy laws, regarding COVID-19 vaccinations and tests, including the following:
  - 1) Proof of vaccination for the staff person, or
  - 2) Written declination of the vaccination if offered by the organization; and
  - 3) The results of any COVID-19 tests for the staff person.
- g) Each organization shall verify that staff have been provided education on the benefits and potential risks associated with the COVID-19 vaccine.
- h) Failure to comply with any of the requirements set forth in this Section creates a substantial probability of risk of death or serious mental or physical harm and shall result in the imposition of sanctions against the organization's license as defined and further specified in Section 2060.339.

(Source: Amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)